

COMPENSATION BOARD DOCKET #21/12

June 24, 2021

Due to the declared State of Emergency and because of the unique characteristics of the COVID-19 virus making it impracticable and unsafe for the Compensation Board members and necessary staff to assemble in a single location, the Compensation Board is conducting this meeting electronically pursuant to § 4-0.01, paragraph g. of Chapter 552, 2021 Reconvened Special Session I Acts of Assembly (effective April 7, 2021). The Compensation Board is meeting electronically at this time to continue operations and discharge of the agency's lawful purposes, duties and responsibilities.

307-21-12: SHERIFFS & REGIONAL JAILS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
MIDDLE RIVER REGIONAL JAIL	SUPERINTENDENT	June 21, 2021 – Staff requests confirmation of approval for the following routine transfer of vacant position salaries for the months of May and June, 2021. This request was submitted by the officer in a timely manner but due to an oversight was not presented to the Compensation Board for approval on the May 2021 board meeting docket.		\$0.00	Approved per the Compensation Board's FY21 Budget Priorities and Policies. This is a one-time transfer, not in the base budget

Office Code	FIPS	Locality Name	Request Date	From Permanent Position	Class Code	To Category	Current Salary	Amount Requested	Pro-Rated Amount Approved
307	493	Middle River Reg Jail	4/30/2021	78031	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78032	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78033	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78034	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78035	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78036	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78037	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78038	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78039	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78040	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78041	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78042	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
307	493	Middle River Reg Jail	4/30/2021	78043	R_EC7	Office Expenses	\$32,578.00	\$5,429.67	\$5,429.67
Total								\$70,585.67	\$70,585.67

772-21-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
VARIOUS	COMMONWEALTH'S ATTORNEY	June 22, 2021 Officers request an exception to the Substitute Prosecutor 60-day reimbursement policy. Expenses for travel for the cases below were received by the Compensation Board after the 60-day reimbursement period.		\$574.79	Approved as an exception to policy, based upon the specific conditions stated by the officer

FIPS	Office	Locality	Prosecutor	Expenses From - To	Defendant	Total
051	772	Dickenson County	Melanie B. Menefee	09/10/20 – 02/11/21	Adam Andrew Hurt	\$349.58
195	772	Wise County	Gerald Arrington	10/07/2020 & 11/23/2020	Johnathan Hamilton	\$131.10
650	772	Hampton City	Robin Bland	9/29/20	Dana Mackey	\$33.81
750	772	Norfolk City	Nickie L. Herron	1/14/2021	Elbert Lee Heckstall	\$22.04
750	772	Norfolk City	Derek A. Colvin	12/21/2020	Margarite A. & Roderick E. Peoples	\$31.33
750	772	Norfolk City	T. George Underwood	11/16/2020	Meah Janae Hall	\$6.93
		Total				\$574.79

772-21-12: COMMONWEALTH'S ATTORNEYS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
HENRICO	COMMONWEALTH'S ATTORNEY	<p>June 7, 2021 Officer requests in accordance with §15.2-1606, to reimburse the County of Henrico for Defense Counsel at \$798.00.</p> <p>Staff notes that memos dated June 15, 2018 and June 11, 2019 from the Division of Risk Management both state that counsel would not be provided in these cases as the Plaintiffs were not seeking monetary damages from the Commonwealth's Attorney. Pursuant to §15.2-1606, the Judge appointed counsel to defend the officer in these matters.</p> <p>Staff additionally notes that expenses incurred are for February, 2021-March, 2021 (\$608.00) and for January, 2019-March, 2019 (\$190), and therefore recommends at this time reimbursement of \$608. Additional research is warranted to determine whether reimbursement of \$190 has already occurred, as reimbursement have already been made in this case based upon requests approved on dockets in June, 2019, April, 2020, and September, 2020.</p> <p>Staff further notes that this expense will be reimbursed with the June, 2021 expense reimbursement (received as FY21 reimbursement in locality), but is payable from FY22 Compensation Board appropriations</p>		\$798.00	The Compensation Board approved reimbursement of \$608.00 for expenses incurred in February & March, 2021, in accordance with §15.2-1606, Code of Virginia. The Compensation Board deferred action on the request for reimbursement of \$190 for expenses incurred in January-March, 2019 pending further review of documentation by staff and verification with officer and locality.

773-21-12: CIRCUIT COURT CLERKS
NONE.

771-21-12: COMMISSIONERS OF THE REVENUE
NONE.

774-21-12: TREASURERS

NEW BUSINESS:

<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>CONSENT DOCKET</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
POWHATAN COUNTY	TREASURER	<p>June 16, 2021 Acting Officer requests additional Temporary Funding in the amount of \$2,385. This is equivalent to the current salary of position 00002, MDIV budgeted at \$28,620 from June 1, 2021 to June 31st 2021.</p> <p>This request for "additional" funding is made in lieu of a request to transfer these funds to the Temporary Funds budget, as I understand that the Compensation Board's interpretation of §24.2-226 and 228 is that position 00002 MDIIV is not vacant during the period in which I am Acting Treasurer, consequently funds cannot be transferred from the position.</p>		\$0.00	Approved at no additional cost to the Compensation Board.

OTHER MATTERS

NEW BUSINESS:

			REGULAR DOCKET		
	<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
1.	MEETING MINUTES	COMPENSATION BOARD	Staff presents minutes for approval as follows: Docket #21/11.	N/A	Approved.
2.	COMPENSATION BOARD MEETINGS	COMPENSATION BOARD	Confirmation of upcoming Board meetings: Thursday July 22, 2021 at 10:00 a.m. and Thursday, August 26, 2021 at 10:00 a.m.	N/A	Confirmed.
3.	TECHNOLOGY TRUST FUND COLLECTIONS & BUDGETING	COMPENSATION BOARD	<p>Collections: FY21 collections for July through May totaled \$9,180,795.47, an increase of 38.39% compared to the same period of collections in FY20.</p> <p>Expenditures: FY21 year-to-date Clerk's expenditures through 6/23/21 totaled \$5,426,970.53 or 74.73% of budgeted Technology Trust Funds.</p> <p>Projections: Based on current collections, FY21 TTF total collections would be approximately \$10.02 million, an increase of 35.94% compared to FY20 collections.</p>	N/A	Noted.
4.	FINES AND FEES	COMPENSATION BOARD	Staff presents draft Fines and Fees materials including policy statements for Commonwealth's Attorneys and Circuit Court Clerks, Election of Collections Method Form for Commonwealth's Attorneys, and draft data collections forms and communications for FY21 delinquent assessment and collections data. Election forms and Policy Statements for FY22 are due July 23 and the data collection form is due August 20 for preparation of the FY21 Fines and Fees report.	N/A	Approved.
5.	ACKNOWLEDGEMENT OF NOTIFICATION OF PROVISIONS OF THE APPROPRIATION ACT	COMPENSATION BOARD	Staff submits to Board members and for Chairman's signature "Acknowledgement of Notification of Indebtedness to State Agencies "Appendix A" and associated references	N/A	Acknowledged.

OTHER MATTERS

NEW BUSINESS:

REGULAR DOCKET				
<u>LOCALITY</u>	<u>OFFICER</u>	<u>REQUEST</u>	<u>TOTAL COST</u>	<u>COMPENSATION BOARD ACTION</u>
6. NOTTOWAY COUNTY COSTS FOR HOUSING VCBR OFFENDERS	COMPENSATION BOARD	Staff presents a request for reimbursement of expenses incurred by Nottoway County for the expense of confining residents of the Virginia Center for Behavioral Rehabilitation arrested for new offenses and held in Piedmont Regional Jail for the months of January through May 2021. At its previous meetings in FY21, the Compensation Board has approved staff's request to reimburse total expenses incurred in June, 2020 and July through September, 2020 of \$52,705.44, and to reimburse total expenses incurred in October through December, 2020 of \$44,603.22, in accordance with budget language approved in Chapter 552. Based upon numbers of offenders housed, days housed and rates paid by the County in January through May 2021, staff recommends approval of payment to Nottoway County in the amount of \$90,035.93. This will result in total payments to date in FY21 of \$187,344.59 of an available appropriation of \$198,664. Expenses incurred in June 2021 will be reimbursable upon approval by the Compensation Board in FY22.	\$90,035.93	Approved payment of \$90,035.93 to Nottoway County for the months of January through May in FY21.
7. EXPENDITURE REPORT	COMPENSATION BOARD	Staff presents final expenditure report for FY22.	N/A	Noted.

CLOSED MEETING
COMPENSATION BOARD DOCKET #21/12
June 24, 2021

NO CLOSED MEETING.

1) **MOTION FOR “CLOSED MEETING” by Chairman Tyrone Nelson. (_____ seconded the motion).**

- ☐ Under the provisions of Section 2.2-3711.A.1, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** to discuss personnel issues—discussion of interview applicants, assignment, appointment, promotion, performance, salaries, discipline or resignation of specific officers, appointees or employees.
- ☐ Under the provisions of Section 2.2-3711.A.7, Code of Virginia, I move that the Compensation Board hold a **Closed Meeting** for consultation with legal counsel and/or briefing by staff members pertaining to actual or “probable litigation” concerning

When the closed meeting is complete, the public body must ***immediately*** reconvene in open session and take a recorded vote of its members in roll call fashion.

MOTION BY CHAIRMAN (vacant): I move to certify that only public business exempt from the Act was discussed.
(_____ seconded the motion.)

Tyrone Nelson, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

AND

MOTION BY CHAIRMAN (vacant): I move to certify that only public business matters identified in the motion to convene the closed meeting were discussed. (_____ seconded the motion.)

Tyrone Nelson, Chairman	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Craig Burns, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Staci Henshaw, Member	Yes <input type="checkbox"/>	No <input type="checkbox"/>

Any member who cannot certify must state the specific details of the unauthorized discussion on the record. That record can be used as evidence in a lawsuit brought against the public body for violating the Act.

FOR YOUR INFORMATION NONE.

Public Body: Compensation Board
Date: June 24, 2021
Time: 10:00 a.m.
Location: Compensation Board Electronic Meeting by Conference Call
+1 617-675-4444; PIN: 362 124 696 9871#
Members: Tyrone Nelson, Chairman (present)
Craig Burns, Ex Officio member (present)
Staci Henshaw, Ex Officio member (present)